IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 30TH JULY 2007 / 8TH SRAVANA 1929

WP(C).No. 23054 of 2007(T)

PETITIONER:

K.S.THOMAS, S/O XAVIER,
VEHICLE SUPERVISOR(RETD), K.S.R.T.C.,
PALA, RESIDING AT KANJIRAPARAMBIL,
VELLAPPAD, P.O.PALA.

BY ADV. SRI.O.D.SIVADAS
SRI.P.P.SOMAN NAIR

RESPONDENTS:

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1. **THE KERALA STATE ROAD TRANSPORT CORPORATION, REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.**

2. **THE FINANCIAL ADVISOR AND CHIEF ACCOUNTS OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.**

3. **THE ASSISTANT ACCOUNTS OFFICER(PENSION), KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.**

4. **THE DISTRICT TRANSPORT OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION.**

BY ADV. SRI. JOHNSON P. JOHN (SC, K.S.R.T.C.)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/07/2007 , THE COURT ON THE SAME DAYDELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.23054 of 2007

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Dated this the 30th day of July, 2007

JUDGMENT

Petitioner retired from KSRTC on 28.2.2007. Petitioner has approached this court seeking out of turn payment of DCRG and Commuted Value of Pension to enable him to utilise the same for the betrothal of his two daughters (twins) on 25.8.2007.

2. Heard counsel for the respondents also.

3. Counsel for the respondents points out on instructions that enquiry was conducted and it was found that petitioner has three cents of land. He further submits that petitioner has a mentally retarded child and that marriage was postponed earlier due to paucity of funds. Having regard to all facts, I feel that some departure from seniority is warranted.

Accordingly the writ petition is disposed of directing the first respondent to pay to the petitioner a sum of Rs.Three Lakhs or 80% of the total amount due as DCRG or Commuted Value of Pension, whichever is higher on or before 17.8.2007.

(K.M. JOSEPH, JUDGE)

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